

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6734

BILL NUMBER: SB 189

NOTE PREPARED: Feb 20, 2004

BILL AMENDED: Feb 19, 2004

SUBJECT: Regulation of Endangered Industries.

FIRST AUTHOR: Sen. Gard

FIRST SPONSOR: Rep. Bottorff

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) **A)** The bill provides an alternate means to measure the efficacy of the destruction or treatment of chemical munitions. It also requires IDEM to implement an inspection protocol to ensure compliance with environmental statutes by facilities licensed to destroy or treat chemical munitions.

B) This bill extends to July 1, 2006, the prohibition against adoption of a new rule by an environmental rulemaking board or adoption of a new policy by the Department of Environmental Management if the new rule or policy would require certain industries to comply with standards of conduct that exceed federal standards. The bill also excepts from the prohibition adoption of a new rule by the Air Pollution Control Board that is necessary to attain or maintain certain air quality standards.

Effective Date: Upon passage.

Explanation of State Expenditures: (Revised) **A)** This provision requires the Department of Environmental Management to implement an inspection protocol for facilities licensed to destroy or treat chemical munitions. This provision may or may not have a fiscal impact on the Department depending on what kind of protocol is designated.

B) This provision extends the length of time the Air Pollution Control Board, Water Pollution Control Board and Solid Waste Management Board are prohibited from adopting a new rule and the Department of Environmental Management from adopting a new policy until July 1, 2006. It affects new rules to be adopted by these boards or policies to be adopted by the Department that would require certain industries to comply with standards of conduct that exceed federal standards. However, it provides an exception to this requirement so that certain rules may be passed by the Air Pollution Control Board in order to attain or maintain national ambient air quality standards as part of an implementation plan required by the United States Environmental

Protection Agency.

This provision would have an indeterminable fiscal impact, which depends on the nature of rules or policies that would have been adopted.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Air Pollution Control Board, Water Pollution Control Board, Solid Waste Management Board and the Department of Environmental Management.

Local Agencies Affected:

Information Sources: Wendy Hoffspiegel, Department of Environmental Management.

Fiscal Analyst: Valerie Ruda, 317-232-9867.